

## 2008 SEPTEMBER 15

An 'Open' meeting of the City Council was held in the Council Committee Room, City Hall, 4949 Canada Way, Burnaby, B.C. on Monday, 2008 September 15 at 6:30 p.m. followed immediately by a 'Closed' meeting from which the public was excluded. At the conclusion of the 'Closed' meeting, the 'Open' meeting was reconvened at 7:00 p.m. in the Council Chamber.

PRESENT: His Worship, Mayor D.R. Corrigan In the Chair  
Councillor G. Begin *(arrived at 7:25 p.m.)*  
Councillor P. Calendino  
Councillor S. Dhaliwal  
Councillor G. Evans  
Councillor D. Johnston  
Councillor C. Jordan  
Councillor L.A. Rankin  
Councillor N.M. Volkow

STAFF: Mr. C.A. Turpin, Deputy City Manager  
Mr. L. Chu, Director Engineering  
Mr. R. Earle, Director Finance  
Mr. D. Ellenwood, Director Parks, Recreation & Cultural Services  
Mr. B. Luksun, Director Planning & Building  
Mr. B. Rose, City Solicitor  
Ms. A. Skipsey, Deputy City Clerk  
Ms. L. Axford, A/Administrative Officer I

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JORDAN:

"THAT the 'Open' Council meeting do now reconvene."

CARRIED UNANIMOUSLY

The 'Open' Council meeting reconvened in the Council Chamber at 7:10 p.m. with Councillor Begin absent.

## P R O C L A M A T I O N S

His Worship, Mayor Derek R. Corrigan proclaimed September 22, 2008 as "***Cops for Cancer Day***" in the City of Burnaby.

His Worship, Mayor Derek R. Corrigan proclaimed September 21, 2008 as "***International Day of Peace***" in the City of Burnaby.

*Councillor Jordan retired from the Council Meeting at 7:12 p.m.*

*Councillor Jordan returned to the Council Meeting at 7:12 p.m. and took her place at the Council table.*

His Worship, Mayor Derek R. Corrigan announced the Griffiths Overpass and related urban trail has won the 2008 PWABC's (Public Works Association British Columbia) Project of the Year award. Mayor Corrigan advised that the City of Burnaby's submission was chosen for the award based on the environmental and social benefits of the project and the innovative design of the structure. The project included the Griffiths overpass and the related 0.65 km section of urban trail linking Byrne Creek Secondary School and the residents and businesses on the east side of Griffiths Drive to the BC Parkway urban trail, Taylor Park, Taylor Elementary School as well as businesses on the west side.

**1. MINUTES**

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JORDAN:

"THAT the minutes of the 'Open' Council meeting held on 2008 September 08 be now adopted."

CARRIED UNANIMOUSLY

**2. DELEGATIONS**

The following wrote requesting an audience with Council:

- A) Janice Bobic  
Re: City Bylaw on Beekeeping  
Speakers: Janice Bobic  
John Gibeau
  
- B) Anita Loy  
Re: 16 North Gilmore Avenue  
Speaker: Anita Loy

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR VOLKOW:

"THAT the delegations be heard."

CARRIED UNANIMOUSLY

**A) Ms. Janice Bobic**, 990 Cliff Avenue, Burnaby, appeared before Council to provide reasons to amend and update the bylaw to permit beekeeping in Burnaby. The speaker advised that other cities in the region, such as Vancouver, New Westminister, Richmond and currently North Vancouver, have updated beekeeping bylaws. Ms. Bobic noted that each city has adopted their bylaw and guidelines to complement the provincial standards set by the Ministry of Agriculture, Apiculture Program, which monitors and provides inspection services to beekeepers.

The delegation noted that honeybees are important to agriculture, both in urban gardens as well as on the large commercial scale, stating that the honeybees and plants have evolved together over millions of years to be mutually dependent for food production on which humans depend. Ms. Bobic suggested there is now a great focus on urban agriculture and eating locally grown food and citizens are becoming more interested in growing their own fruits and vegetables. The speaker advised that some cities have introduced honeybee hives to their community gardens. The delegation noted that honeybees are peaceful creatures only interested in finding blossoms for nectar and pollen – they are not aggressive like wasps and hornets and will only sting if they are physically pressed on.

In conclusion, Ms. Bobic stated that she believes that having honeybees in the City of Burnaby will provide benefits for the greater good of all.

**Mr. John Gibeau**, Honeybee Centre, advised Council that bees are completely safe to manage in high density areas as long as beekeepers follow simple rules that include placing their colonies where they do not interfere with their neighbours and are regularly checking their beehives to prevent swarming. As a commercial beekeeper, Mr. Gibeau has 700 colonies in the Lower Mainland, including one on a third floor roof top garden in downtown Vancouver. The delegation recommended Council model its beekeeping bylaw after New Westminister's bylaw.

*Councillor Begin entered the Council Chamber at 7:24 p.m. and took his place at the Council table.*

Arising from consideration of the delegation's presentation, Councillor Johnston was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

"THAT the delegation's presentation be **REFERRED** to staff and the Environment Committee for report."

CARRIED UNANIMOUSLY

- B) **Ms. Anita Loy**, 16 North Gilmore Avenue, Burnaby appeared before Council to appeal Council's decision at the 2008 August 25 Council meeting in relation to the property at 16 North Gilmore Avenue. Ms. Loy advised Council that she is a long time resident of Burnaby and has owned this property since 1980. The delegation acknowledged that there have been complaints against her property in the past, however they have always done what was required to bring the property into compliance. The speaker provided background information on the property and its current condition. In conclusion, Ms. Loy advised that their intention is to sell the property and requested an extension of up to 90 days in order to complete the sale and to provide enough time for them to remove all of their belongings from the house.

Arising from consideration of the delegation's presentation, Councillor Calendino was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR CALENDINO:  
SECONDED BY COUNCILLOR JOHNSTON:

"THAT the matter be **REFERRED** to staff to work with the owner over the next two weeks to establish a course of action satisfactory to all concerned parties."

CARRIED UNANIMOUSLY

### 3. REPORTS

MOVED BY COUNCILLOR CALENDINO:  
SECONDED BY COUNCILLOR JORDAN:

"THAT Council do now resolve itself into a Committee of the Whole."

CARRIED UNANIMOUSLY

- A) **Environment Committee**  
**Re: Proposed Used Cooking**  
**Oil Recycling Pilot Project**

The Environment Committee submitted a report requesting Council approval for establishing a pilot project for used cooking oil collection and recycling at the City's Still Creek Recycling Depot. Upon project completion, staff will report back on the success of the project and its continuance at the City's Recycling Depot.

The Environment Committee recommended:

1. THAT Council authorize staff to enter into an agreement with ERM BioSource for establishing a pilot project for used cooking oil recycling at the City's Still Creek Recycling Depot; and
2. THAT a copy of this report be forwarded to Recycling Council of British Columbia and ERM BioSource.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR JORDAN:

"THAT the recommendations of the Environment Committee be adopted."

CARRIED UNANIMOUSLY

**B) Transportation Committee**  
**Re: Willingdon HOV Project (Phase 3)**  
**Brentlawn to Hastings Street**

The Transportation Committee submitted a report advising Council of the status of the Willingdon Project from Brentlawn to Hastings Street. Arising from the public comments received at the Open House, staff are proposing to assess changes in the design concept to address concerns and issues raised by local residents. Upon completion of this work, staff would prepare material for review and consideration by the Committee and Council as a basis for further public consultation.

The Transportation Committee recommended:

1. THAT Council receive this report for information purposes.

MOVED BY COUNCILLOR VOLKOW:  
SECONDED BY COUNCILLOR CALENDINO:

"THAT the recommendation of the Transportation Committee be adopted."

CARRIED UNANIMOUSLY

Arising from consideration of the report, Councillor Begin was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR CALENDINO:

"THAT staff provide notice to the neighbourhood indicating the direction to be taken by the City as a result of the public input process for Phase 3 of the Willingdon HOV Project."

CARRIED UNANIMOUSLY

C) The City Manager presented Report dated 2008 September 15 on the matters listed following as Items 01 to 07 either providing the information shown or recommending the courses of action indicated for the reasons given:

1. **Proposed Burnaby Access Memorandum – Port Mann/Highway 1 Project**

The City Manager submitted a report from the Director Planning and Building reporting on the Provincial response to Council's motion of 2007 August 27 relating to the Province's request for the City to enter into a Memorandum of Understanding regarding the Port Mann/Highway 1 Project (PMH1 Project). The report provided an update on discussions between City and Provincial staff during the past year, and the status of the Project. It is noted that there has been no progress on the areas of greater impact on which Council has previously expressed its fundamental opposition to the PMH1 Project. In view of the current status of the Project, staff are of the view that the City should not enter into negotiations for a traditional Memorandum of Understanding with the Province, which would imply a City concurrence with the underlying principles of the Project. Instead, staff are recommending that the City negotiate a more technically based Burnaby Access Memorandum. In exchange for the required City lands and other accesses, the City would seek to obtain some combination of design upgrades for PMH1 and surplus Provincial lands. This would also have the potential to identify elements of the Project that the Province commits to fund and construct in a particular way, and address areas of financial responsibility for anticipated and unforeseen items relating to the final design and construction of the Project.

The City Manager recommended:

1. THAT Council *not* enter into a Memorandum of Understanding with the Province regarding the Port Mann / Highway 1 Project.

2. THAT Council direct staff to enter into negotiations with the Province towards a Burnaby Access Memorandum to address technical and community integration issues regarding the Port Mann / Highway 1 Project, contingent on the terms and expectations outlined in Sections 4.0 and 5.0 of this report.
3. THAT Council request the Province to establish a Municipal Integration Fund to provide a supplementary funding source for addressing both anticipated and unanticipated costs associated with implementing those items identified in the proposed Burnaby Access Memorandum.
4. THAT the draft Burnaby Access Memorandum and summary report arising from those negotiations be brought to Council for its consideration.
5. THAT copies of this report be sent to:
  - a. the Minister of Transportation and Infrastructure;
  - b. the Executive Director, Gateway Program;
  - c. the Province's preferred contractor for the Port Mann / Highway 1 Project;
  - d. the City's Environment, Traffic Safety, and Transportation Committees (including the Bicycle Advisory Group), and the Parks, Recreation and Culture Commission; and
  - e. Burnaby MLAs.

MOVED BY COUNCILLOR CALENDINO:

SECONDED BY COUNCILLOR JORDAN:

"THAT the recommendations of the City Manager be adopted."

*Councillor Calendino retired from the Council Chamber at 8:25 p.m.*

*Councillor Calendino returned to the Council Chamber at 8:27 p.m. and took his place at the Council table.*

*Councillor Jordan retired from the Council Chamber at 8:38 p.m.*

*Councillor Jordan returned to the Council Chamber at 8:40 p.m. and took her place at the Council table.*

CARRIED UNANIMOUSLY

**2. Liquor Licence Application #08-02  
Grand Villa Casino  
4331 Dominion Street**

The City Manager submitted a report from the Director Planning and Building providing Council with recommendations on the subject liquor licence application. In response to the public notification for the subject liquor licence application, staff received two letters of opposition. Staff have reviewed the concerns that are relevant to this application in accordance with both LCLB and Council-adopted criteria, and on balance, consider the application to be supportable.

The City Manager recommended:

1. THAT Council support the requested 2:00 a.m. termination of liquor service within the associated patio and deck areas of the subject casino and requested increase in licensed capacity from 1,525 to 4,344 persons.
2. THAT a copy of this report be forwarded to the General Manager, Liquor Control and Licensing Branch, P.O. Box 9292, Stn. Provincial Government, Victoria, B.C. V8W 9J8; and to the applicant, Mr. Bert Hick, 1270 – 1130 West Pender Street, Vancouver, B.C. V6E 4A4.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR CALENDINO:

“THAT the recommendations of the City Manager be adopted.”

CARRIED UNANIMOUSLY

**3. Building Permit Tabulation Report No. 8  
From 2008 August 01 – 2008 August 31**

The City Manager submitted a report from the Director Planning and Building providing Council with information on the construction activity as reflected by the building permits that have been issued for the subject period.

The City Manager recommended:

1. THAT this report be received for information purposes.



MOVED BY COUNCILLOR JORDAN:  
SECONDED BY COUNCILLOR JOHNSTON:

“THAT the recommendation of the City Manager be adopted.”

CARRIED UNANIMOUSLY

**4. Exemptions from Taxation - 2008**

The City Manager submitted a report from the Director Finance requesting Council approval of permissive exemptions from property taxation for 2009.

The City Manager recommended:

1. THAT bylaws to exempt from taxation in 2009 those properties listed in Part II 100% (1 - 5) be brought forward; and
2. THAT bylaws to exempt from taxation in 2009 those properties listed in Part III(A) 100% (1 - 26 and 50% (27 be brought forward; and
3. THAT bylaws to exempt from taxation in 2009 those properties listed in Part III(B) 100% (1 - 19) and 50% (20) be brought forward; and
4. THAT bylaws to exempt from taxation in 2009 those properties listed in Part III(C) 100% (1 - 86) be brought forward; and
5. THAT bylaws to exempt from taxation in 2009 those properties listed in Part III(D) 100% (2) be brought forward.

MOVED BY COUNCILLOR VOLKOW:  
SECONDED BY COUNCILLOR JOHNSTON:

“THAT the recommendations of the City Manager be adopted.”

CARRIED UNANIMOUSLY

**5. 2008 Park Dedications**

The City Manager submitted a report from the Director Parks, Recreation and Cultural Services requesting Council approval to prepare and enact a Park Dedication Bylaw for City properties at five parks; to seek community

opinion from the electors at the Civic Elections in 2008 November; and for the wording of the 2008 Park Dedication Bylaw Community Opinion Questions.

The City Manager recommended:

1. THAT the preparation and enactment of a Park Dedication Bylaw for those City properties outlined in Attachment #1 be approved.
2. THAT authorization to seek community opinion on the proposed Park Dedication Bylaw from the electors at the civic elections in 2008 November be approved.
3. THAT the wording of the 2008 Park Dedication Bylaw Community Opinion Questions outlined in Attachment #3 be approved.

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JORDAN:

"THAT the recommendations of the City Manager be adopted."

CARRIED UNANIMOUSLY

## **6. Internal Order**

The City Manager submitted a report from the Director Engineering requesting approval of Internal Order 60-21-152 Watermain Renewals (2008 Program).

The City Manager recommended:

1. THAT the above internal order as more specifically referred to in this report be approved.

MOVED BY COUNCILLOR BEGIN:

SECONDED BY COUNCILLOR VOLKOW:

"THAT the recommendation of the City Manager be adopted."

CARRIED UNANIMOUSLY

**7. Contract No. 2008-26  
2008 Roadworks LASP (Phase 3) &  
2007/2008 Streetlighting LASP (Phase 2)**

The City Manager submitted a report from the Director Finance requesting Council approval to award a contract for roadworks and related services.

The City Manager recommended:

1. THAT a contract be awarded to the lowest bidder, Jack Cewe Ltd., for roadworks and related services at various locations throughout Burnaby for a total cost of \$2,692,914.00 with final payment based on actual quantities and unit prices tendered.

MOVED BY COUNCILLOR BEGIN:  
SECONDED BY COUNCILLOR JORDAN:

"THAT the recommendation of the City Manager be adopted."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CALENDINO:  
SECONDED BY COUNCILLOR VOLKOW:

"THAT the Committee now rise and report."

CARRIED UNANIMOUSLY

The Council reconvened.

MOVED BY COUNCILLOR BEGIN:  
SECONDED BY COUNCILLOR VOLKOW:

"THAT the report of the Committee be now adopted."

CARRIED UNANIMOUSLY

**4. BYLAWS**

**FIRST, SECOND AND THIRD READING:**

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Local Improvement Fund Expenditure #12509  
Bylaw No. 4, 2008

be now introduced and read three times."

CARRIED UNANIMOUSLY

**CONSIDERATION AND THIRD READING:**

#12494 4331/20 Dominion Street REZ #08-23  
and 4405 Norfolk Street

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Zoning Bylaw 1965, Amendment #12494  
Bylaw No. 43, 2008

be now read a third time."

CARRIED UNANIMOUSLY

**RECONSIDERATION AND FINAL ADOPTION:**

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR VOLKOW:

"THAT

Burnaby Capital Works, Machinery and Equipment #12504  
Reserve Fund Expenditure Bylaw No. 22, 2008

Burnaby Municipal Employees Retirement Age Bylaw  
Repeal Bylaw 2008

#12505

be now reconsidered and Finally Adopted, signed by the Mayor and Clerk and the Corporate Seal affixed thereto."

CARRIED UNANIMOUSLY

5. **NEW BUSINESS**

There were no new items of new business brought forward at this time

6. **INQUIRIES**

**Councillor Rankin**

Councillor Rankin inquired as whether the Finance Department would be providing information on how much Provincial Carbon Tax is costing the City of Burnaby.

The Director Finance advised that the calculations had been done and the cost for this year is \$50,000 with \$300,000 estimated as the cost for the 4<sup>th</sup> year. Council requested staff provide the information in a memorandum.

7. **ADJOURNMENT**

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JORDAN:

"THAT this 'Open' Council Meeting do now recess."

CARRIED UNANIMOUSLY

The 'Open' Council Meeting recessed at 9:13 p.m.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR JORDAN:

"THAT the 'Closed' Council meeting do now reconvene."

CARRIED UNANIMOUSLY

The 'Closed' Council meeting reconvened at 9:17 p.m. with Councillor Begin absent.

*Councillor Begin arrived at 9:19 p.m. and took his place at the Council table.*

MOVED BY COUNCILLOR CALENDINO:  
SECONDED BY COUNCILLOR VOLKOW:

"THAT this 'Closed' Council meeting do now adjourn."

CARRIED UNANIMOUSLY

The 'Closed' Council meeting adjourned at 9:24 p.m.

MOVED BY COUNCILLOR BEGIN:  
SECONDED BY COUNCILLOR JORDAN:

"THAT the 'Open' Council meeting do now reconvene."

CARRIED UNANIMOUSLY

The 'Open' Council meeting reconvened at 9:24 p.m.

MOVED BY COUNCILLOR BEGIN:  
SECONDED BY COUNCILLOR JOHNSTON:

"THAT the 'Open' Council meeting do now adjourn."

CARRIED UNANIMOUSLY

The 'Open' Council meeting adjourned at 9:25 p.m.

Confirmed:

Certified Correct:

  
MAYOR

  
DEPUTY CITY CLERK